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PTO/SB/24 (09-04)
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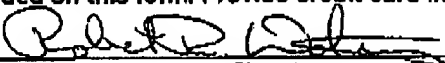
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3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

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Signature

February 11, 2005

Date

Robert R. Waters

Typed or printed name

43,241

Registration Number, if applicable

633 Seventh Street

Address

304-522-6658

Telephone Number

Huntington, WV 25701

Address

Enclosures: ☒ Fee Payment (See attached pertaining to Deposit Account)☒ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☒ Other: Petition for Extension of Time: Directive to Charge Deposit Account

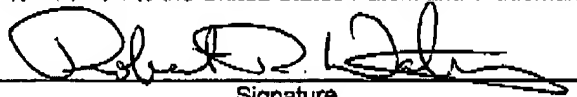
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I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (703) 872-9306.

February 11, 2005

Date


Signature

Robert R. Waters

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[Page 2 of 2]


PTO/SB/21 (09-04)


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| | | | | |
|---|----------------------|------------------------|---|----------------------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 09/773,343 | RECEIVED MAR 09 2005 | |
| | Filing Date | January 31, 2001 | | |
| | First Named Inventor | D. Rich Lang | | |
| | Art Unit | 3722 | | |
| | Examiner Name | W. Fidle | | |
| Total Number of Pages in This Submission | 12 | Attorney Docket Number | 44PA0300 | OFFICE OF PETITIONS |

| ENCLOSURES (Check all that apply) | | |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| Remarks Documents included: <u>Petition for Revival of an Application Abandoned Unintentionally under 37 CFR 1.137(b)</u> <u>Petition for Extension of Time under 37 CFR 1.136(a)</u> <u>Applicant's Amendment and Response to Office Action</u> | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | |
|--|---|----------|--------|
| Firm Name | Waters Law Office, PLLC | | |
| Signature |  | | |
| Printed name | Robert R. Waters | | |
| Date | February 11, 2005 | Reg. No. | 43,241 |

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| Typed or printed name | Robert R. Waters | Date | February 11, 2005 |

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43,241

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13 pages total

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